

Daubert motion regarding Mr. Smith, if such a motion is proper, in the four days following his deposition. Accordingly, Defendant seeks an extension of time only with regard to any *Daubert* motion to be filed regarding Mr. Smith. Defendant is not requesting an extended deadline to file its dispositive motion or to file *Daubert* motions regarding any other expert witnesses identified by Plaintiffs.

4. One prior extension of time—for the then-unexpired deadlines in the Scheduling Order—was granted by the Court. *See* ECF Nos. 22, 25.

5. This request for extension of time is sought in good faith and is not intended to delay, but rather to allow Defendant time to assess whether to file a *Daubert* motion with regard to Mr. Smith and to prepare the same, if necessary, following his re-scheduled deposition.

6. Defendant has communicated with Plaintiffs' counsel and Plaintiffs have no objection to this request.

7. A proposed Order granting the requested extension of time is being contemporaneously submitted to the Court.

Respectfully submitted,

s/ Andrew J. Morris

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